

RELEASED IN PART
1.4(B), 1.4(D)

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PTQ9486

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ACTION AF-01

INFO	LOG-00	AID-01	CIAE-00	SMEC-00	OASY-00	DODE-00	EB-01
	EUR-01	H-01	TEDE-00	INR-00	IO-10	LAB-01	L-01
	ADS-00	M-00	NSAE-00	NSCE-00	OIC-02	OMB-01	PA-01
	PM-00	PRS-01	P-01	SB-00	SCT-00	SP-00	SR-00
	SS-00	STR-01	TRSE-00	T-00	USIE-00	PMB-00	PRME-01
	DRL-09	G-00	/034W				

-----B43623 241543Z /38

R 241616Z MAR 95
FM AMEMBASSY BRUSSELS
TO SECSTATE WASHDC 2630
INFO RWANDA COLLECTIVE

C O N F I D E N T I A L SECTION 01 OF 02 BRUSSELS 003535

DEPARTMENT FOR AF/C AND EUR/UBI

E.O. 12356: DECL: OADR
TAGS: PREL, PHUM, BE, RW
SUBJECT: COMMITTEE FOR RESPECT OF HUMAN RIGHTS AND
DEMOCRACY IN RWANDA ACCUSES BELGIAN GOVT OF SHELTERING 9
RWANDANS INVOLVED IN GENOCIDE

1. C - WHERE INDICATED

SUMMARY

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2. (C) THE COMMITTEE FOR RESPECT OF HUMAN RIGHTS AND DEMOCRACY IN RWANDA HAS PUBLICLY ACCUSED THE BELGIAN GOVERNMENT OF SHELTERING 9 RWANDANS INVOLVED IN GENOCIDE. COMMITTEE MEMBERS ATTRIBUTE DELAYS IN PROCESSING THE CASES TO THE MINISTER OF JUSTICE'S AFFILIATION WITH THE CHRISTIAN DEMOCRATIC PARTY - A CHARGE DENIED BY THE MINISTER. MFA OFFICIALS SAY THE LACK OF AN EXTRADITION TREATY WITH RWANDA, AS WELL AS THE POSSIBLE IMPOSITION OF THE DEATH PENALTY BY THE GOVERNMENT OF RWANDA ON THOSE FOUND GUILTY OF GENOCIDE, PREVENT BELGIUM FROM HANDING OVER THE PERSONS LISTED. [REDACTED]

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[REDACTED]
[REDACTED] END

SUMMARY.

COMMITTEE ACCUSES BELGIUM OF SHELTERING CRIMINALS AND
DELAYING INVESTIGATIONS ON GENOCIDE

3. (U) THE COMMITTEE FOR RESPECT OF HUMAN RIGHTS AND DEMOCRACY IN RWANDA CLAIMS IT HAS FORWARDED TO THE BELGIAN MINISTRY OF JUSTICE THE NAMES OF 9 RWANDANS WHO PARTICIPATED IN OR ORGANIZED THE GENOCIDE IN RWANDA. IT CHARGES SOME OF THE ACCUSED ARE DUAL CITIZENS OR RWANDANS WHO HAVE OBTAINED ASYLUM IN BELGIUM.

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4. (U) ACCORDING TO THE COMMITTEE, THE PUBLIC PROSECUTOR'S OFFICE IN KGALI HAS ISSUED SUMMONSES FOR THE FOLLOWING FIVE PERSONS:

- ALPHONSE HIGANIRO, CDR HEAD IN BUTARE, AND ORGANIZER OF THE INTERAHAMWE,

- SISTER MARIE-CHRISTINE MUKANSANGA OF THE CONGREGATION OF SISTERS OF CHARITY, ACCUSED OF TURNING OVER TUTSI NUNS TO BE KILLED,

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- AUGUSTIN NDINDILIIYIMANA, FORMER HEAD OF THE NATIONAL GENDARMERIE, WHO ALLEGEDLY PARTICIPATED IN PLANNING MEETINGS AND ALLOWED GENDARMES TO MASSACRE CIVILIANS,
- ENOCH RUHIGIRA, FORMER CHEF DE CABINET TO PRESIDENT HABYARIMANA, FOR PARTICIPATING IN THE PREPARATION OF THE GENOCIDE, AND
- PIERRE CELESTIN RWAGAFILITA, RETIRED COLONEL OF THE RWANDAN ARMY, WHO ORGANIZED AND DIRECTED THE INTERAHAMWE AND COMMANDED THE MASSACRE AT KIBUNGO SQUARE.

5. (U) IN ADDITION TO THE ABOVEMENTIONED 5, THE COMMITTEE CLAIMS THAT SHINGIRO MBONYUMUTWA, THE SON OF THE FIRST PRESIDENT OF RWANDA, WAS ACTIVELY INVOLVED IN THE HATE BROADCASTS OF RADIO MILLE COLLINES. HE HAS ALLEGEDLY ASKED FOR POLITICAL ASYLUM IN BELGIUM. ALSO REPORTEDLY RESIDING IN BELGIUM IS VINCENT NTEZIMANA, NOW ON A STIPEND FROM THE CATHOLIC UNIVERSITY OF LOUVAIN. HE IS ACCUSED OF HAVING DRAWN UP LISTS OF PEOPLE TO BE ELIMINATED.

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ALPHONSINE HAGANIRO, THE DAUGHTER OF HABYARIMANA'S PERSONAL PHYSICIAN, IS ACCUSED OF HAVING HARBORED AND SUPPORTED MILITIAS. SERAPHIN RWABUKUMBA, BROTHER OF HABYARIMANA'S WIFE, ALLEGEDLY FINANCED AND ARMED THE INTERAHAMWE BETWEEN OCTOBER 1990 AND APRIL 1994.

6. (U) LAWYERS FOR THE COMMITTEE MAINTAIN THE GOB HAS DELAYED ACTING ON THE CASES. THEY DEMAND THE GOVERNMENT ESTABLISH ROGATORY COMMISSIONS AND ACTIVELY PURSUE THE CHARGES. ONE OF THE ATTORNEYS FOR THE COMMITTEE, MICHEL GRAINDORGE, HAS ANGRILY ACCUSED THE MINISTER OF JUSTICE, MELCHIOR WATHELET, OF "LYING" TO THE ATTORNEYS. GRAINDORGE ATTRIBUTES THE SLOW PACE OF THE INVESTIGATIONS TO WATHELET'S POLITICAL AFFILIATION WITH THE PSC, THE FRANCOPHONE CHRISTIAN DEMOCRATIC PARTY. IN ADDITION, GRAINDORGE CLAIMS MEMBERS OF THE FLEMISH CHRISTIAN DEMOCRATIC PARTY (CVP) AND THE BELGIAN CHURCH HAVE BEEN PROTECTING KILLERS.

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LEGAL IMPEDIMENTS TO EXTRADITION

7. (C) POLOFF SPOKE WITH BELGIAN MFA

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RWANDANS INVOLVED IN GENOCIDE

[REDACTED]
[REDACTED] ABOUT THE COMMITTEE'S ALLEGATIONS.

1.4(D)

[REDACTED] SAID GOB POLICY IS TO DENY
ASYLUM TO PEOPLE WHO ARE WANTED FOR GENOCIDE. NONE OF
THOSE LISTED BY THE COMMITTEE WERE KNOWN TO HAVE BELGIAN
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CITIZENSHIP.

8. (C) BELGIAN JURIDICAL PROCEDURES, HOWEVER, DO NOT
ALLOW THE GOB TO "HAND OVER" TO THE RWANDAN GOVERNMENT
THOSE NAMED ON THE LIST. THERE IS NO EXTRADITION TREATY
BETWEEN BELGIUM AND RWANDA.

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RECENT BELGIAN LEGISLATION ON GENOCIDE MAY BE USED
AS LEGAL BASIS FOR EVENTUAL PROSECUTION

9. (C) UNDER A 1993 BELGIAN LAW, BELGIAN COURTS ARE
EMPOWERED TO PROSECUTE PERSONS ACCUSED OF HAVING COMMITTED
GENOCIDE. ACCORDING TO [REDACTED]

1.4(D)
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[REDACTED] NOTE. THIS MAY BE THE SITUATION THAT
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DEVELOPS FOR GEORGES RUGGIU, THE NATURALIZED BELGIAN
CITIZEN INVOLVED IN RADIO MILLE COLLINES HATE BROADCASTS.
RUGGIU IS NOW BELIEVED TO BE HIDING IN TANZANIA. HIS
CASE, ACCORDING TO [REDACTED] IS A SEPARATE AND DISTINCT
DOSSIER. BELGIAN JUSTICE OFFICIALS HAVE ANNOUNCED THEIR
INTENTION TO OPEN LEGAL PROCEEDINGS AGAINST HIM.

1.4(D)

[REDACTED] 1.4(B), 1.4(D)

BLINKEN

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